

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Docket No.	C1037.70052US00
		First Named Inventor or Application Identifier	
BRATZLER, et al.		Express Mail Label No.	EV 292543482 US
Date of Deposit		September 22, 2003	

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents</i>	<b>ADDRESS TO:</b> <b>Mail Stop Patent Application</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
1. <input type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i>  2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.  3. <input checked="" type="checkbox"/> Specification [Total pages 73] 66 - pages description 1 - pages abstract 6 - pages claims                      36 - Total claims  4. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total sheets 0] <input type="checkbox"/> Informal <input type="checkbox"/> Formal    [Total drawings 0]  5. <input checked="" type="checkbox"/> Oath or Declaration [Total pages 3] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  If 5b is checked the entire disclosure of prior applications,  Serial No. 09/800,266  from which an oath or declaration is supplied, is considered as part of the disclosure of the accompanying application as is hereby incorporated by reference therein. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.  6. <input checked="" type="checkbox"/> Application Data Sheet, See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R, in duplicate, large table or Computer Program (Appendix)  8. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input checked="" type="checkbox"/> Computer Readable Form (CRF) b. <input checked="" type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input checked="" type="checkbox"/> paper (identical to computer copy) c. <input checked="" type="checkbox"/> Statement verifying identity of above copies  <b>ACCOMPANYING APPLICATION PARTS</b>  9. <input type="checkbox"/> Assignment Papers/cover sheet & documents(s) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney  11. <input type="checkbox"/> English Translation of Document <i>(if applicable)</i>  12. <input type="checkbox"/> Information Disclosure Statement PTO-1449 <input type="checkbox"/> Copies of IDS Citations  13. <input type="checkbox"/> Preliminary Amendment  14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>  15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>  16. <input type="checkbox"/> Request and Certification Under 35 U.S.C. §122(b)(2)(B)(i)  17. <input checked="" type="checkbox"/> Other: Copy of Petition for One Month Extension of Time with Transmittal in Parent case

**18. NOTE TO PRACTITIONERS:** If a CONTINUING APPLICATION, supply the requisite priority or continuity information in (1) the body of the application, or in a preliminary amendment, and (2) in an Application Data Sheet under 37 CFR 1.76.

**19. CORRESPONDENCE ADDRESS***Correspondence address below***CUSTOMER NUMBER: 23628****20. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

<b>NAME</b>	Patrick R.H. Waller, Ph.D., Reg. No. 41,418
<b>SIGNATURE</b>	
<b>DATE</b>	September 22, 2003

**COPY**



DOCKET NO.: C1037.70017US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bratzler et al.  
Serial No: 09/800,266  
Confirmation No: 3753  
Filed: March 5, 2001  
For: IMMUNOSTIMULATORY NUCLEIC ACIDS AND CANCER  
MEDICAMENT COMBINATION THERAPY FOR THE TREATMENT  
OF CANCER  
Examiner: Angell, Jon E.  
Art Unit: 1635

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 22nd day of September, 2003.

*Pat R.H. Waller*

Patrick R.H. Waller, Ph.D., Reg. No.: 41,418

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ Petition for 1 Month Extension of Time
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check in the amount of \$110.00 is enclosed to cover the extension fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Bratzler et al., Applicant*

By: *Pat R.H. Waller*  
Patrick R.H. Waller, Ph.D., Reg. No.: 41,418  
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Docket No. C1037.70017US00  
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Patrick R.H. Waller  
Patrick R.H. Waller, Ph.D., Reg. No. 41,418

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR ONE MONTH EXTENSION OF TIME**

Sir:

A one (1) month extension of time, to and including September 22, 2003 (September 21, 2003 was a Sunday), is requested for response to the Patent Office Communication of May 21, 2003.

The extension fee of \$110.00 as set forth in 37 C.F.R. §1.17(a) is enclosed herewith. If the amount is insufficient, the balance may be charged to Deposit Account No. 23/2825.

Respectfully submitted,  
*Bratzler et al., Applicant*

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